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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Wainwright et al.

Examiner: Drew E. Becker

Serial No: 09/936,242

Group Art Unit: 1761

Filing Date: February 1, 2002

Docket: 294-107 PCT/US/RCE II

For: AMYLOPECTIN POTATO FLAKES OR  
GRANULES AND THEIR USE IN SNACK  
FOODS

Dated: October 25, 2006

<p>Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450</p>	<p>I hereby certify this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450</p> <p>on <u>10/25/06</u> Signature <u>Drew E. Becker</u></p>
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**SUPPLEMENTAL RESPONSE TO OFFICE ACTION**

Sir:

In response to the February 14, 2006 Office Action and July 27, 2006 Advisory Action, Applicants filed an Amendment, an unexecuted 37 C.F.R. §1.132 Declaration by Dr Buwalda, and a Request for Continued Examination on August 14, 2006.

Applicants file the present Supplemental Response to submit an executed 37 CFR 1.132 Declaration by Dr Buwalda. This executed declaration is not identical to the declaration filed on August 14, 2006, as discussed below.

In the August 14, 2006 declaration, **Paragraph 7** stated that Martines-Serna Villagran *et al.* (U.S. Patent No. 6,544,580, hereinafter "Villagran *et al.*") described amylose leaching, including a washing step, by which amylose was removed from potato flakes.

The revised accompanying declaration makes a correction. The process described by Villagran *et al.* does not describe amylose leaching and does not teach removing amylose from the potato flake. Instead, amylose is removed from the starch *granules* but not removed from the

potato flakes.

Also, **Paragraph 8** contains minor revisions *vis-à-vis* the unexecuted August 14, 2006 37 CFR 1.132 Declaration for clarification purposes.

Although the declaration has been revised, the conclusion remains the same. That is, because of the specific cooking process described by Villagran *et al.*, it is apparent that the potato flakes used by Villagran *et al.* do **not** have a high amylopectin. The reason that it is apparent is because the process described by Villagran *et al.* is not applicable to starch with high amylopectin content, especially not to an amylopectin content of 95wt%. More specifically, starch with a high amylopectin content has virtually no amylose; accordingly, the amylose cannot be removed from the starch granule. Thus, clearly Villagran *et al.* only teach potato flakes with a normal level of amylopectin. See paragraph 8 of the declaration.

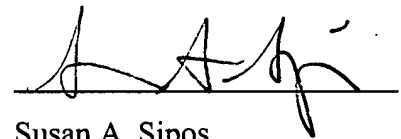
In fact, the corrected declaration more clearly demonstrates that high amylopectin levels in flakes are not taught by Villagran *et al.* Amylose is not removed from the potato flake. Thus, there is virtually no change in the amylose : amylopectin ratio of natural potato flakes. Natural potato starch has a low level of amylopectin, i.e., about 80 wt.% amylopectin.

Only Paragraphs 7 and 8 have been revised *vis-à-vis* the unexecuted August 14, 2006 37 CFR 1.132 Declaration. The rest of the declaration remains as originally filed.

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Applicants respectfully submit that the application is now in condition for allowance, which action is earnestly solicited. If resolution of any remaining issue is required prior to allowance of this application, it is respectfully requested that the Examiner contact Applicants' undersigned attorney at the telephone number provided below.

Respectively submitted,

A handwritten signature in black ink, appearing to read 'S. Sipos', is written over a horizontal line.

Susan A. Sipos  
Registration No. 43,128  
Attorney for Applicant(s)

HOFFMANN & BARON, LLP  
6900 Jericho Turnpike  
Syosset, New York, 11791  
(516) 822-3550

SAS  
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